IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

-

WRIT PETITION NO: 13637 of 2005

Between:

Aleti Ram Reddy, S/o.Sai Reddy,
(Mothepet) Mothe, Village,

Lingampet Mandal, Nizmabad District.

..... PETITIONER

AND

1 The Government of A.P.,

rep.by its Prl.Secretary,

Dept., of Panchayat Raj,

Secretariat Buildings, Hyderabad.
2 The Collector, Nizamabad,

O/o.Collectorate, Nizamabad.
3 The District Panchayat officer,

O/o. The Collecterate, Nizamabad.
4 The Mandal Praja Parishad Development officer,

Lingampet Mandal, Nizamabad District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ order or direction more one in the nature of writ of Mandamus declaring the action of the respondents in proposing the suspend the

cheque power of the petitioner by the show cause Notice No.155/2004-B5/ dt. 1-6-2005 issued by the Respondent No.3 is illegal, arbitrary, unjust and against the principles of natural justice and consequently direct the respondents to restore the cheque singing powers to the petitioner as usual.

Counsel for the Petitioner: MR.JOGARAM TEJAWATH

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the stage of admission made the following:

ORDER:

This writ petition has been filed questioning the inaction of the respondents in proposing to suspend the cheque power of the petitioner by Show Cause Notice No.155/2004-B5 dated 1-6-2005 issued by the respondent No.3.

The facts of the case, sans, unnecessary details is as follows:

Petitioner, who is the Sarpanch of the Gram Panchayat of Lingampet Mandal, Nizambad District, was issued proceedings to undertake the road formation work under the scheme called 'FOOD FOR WORK'. Petitioner's grievance is that after completion of the scheme, the third respondent issued show cause notice No.155/2004-B5 dated 1-6-2005 questioning the petitioner as to why he cannot be suspended from the post of Sarpanch on the ground that he misappropriated the funds under the above scheme. Petitioner submitted his explanation during June, 2005. But the respondents, without considering the same and without conducting any enquiry, have withdrawn his cheque signing powers also. Aggrieved thereby, petitioner filed this writ petition.

The learned Counsel for the petitioner submitted that the impugned show cause notice was issued on the false allegations made by the rival political groups. Further, he submitted that the said allegations are made against the petitioner only to take political revenge, and there is no iota of truth in the said allegations. Ultimately, he prays to direct the respondents to restore the petitioner's cheque signing powers.

Heard the learned Counsel for the petitioner.

Petitioner filed this writ petition apprehending that the respondents are likely to suspend him from the post of Sarpanch. It is not known, as on today, whether the petitioner is suspended or not. Therefore, there is no cause of action to entertain the writ petition.

The Writ petition fails, and the same is, accordingly, dismissed. There shall be no order as to costs.

24-06-2005

LUR

To

1 The Prl.Secretary, Government of A.P., Dept., of Panchayat

Raj, Secretariat Buildings, Hyderabad.
2 The Collector, Nizamabad, O/o.Collectorate, Nizamabad.
3 The District Panchayat officer, O/o. The Collecterate,

Nizamabad.
4 The Mandal Praja Parishad Development officer, Lingampet

Mandal, Nizamabad District.

5 Two C.Cs. to G.P. for Panchayat Raj and Rural Development,

High Court Buildings, High Court of A.P., Hyderabad (OUT)

6 Two C.D. copies.

*Form-NIC-OGS/WP{**TRR**}*